

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

COMPLAINT

(for non-prisoner filers without lawyers)

2017 FEB -6 P 12:40

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
JON P. SANFILIPPO
CLERK

(Full name of plaintiff(s))

Dean R. Von Gernmeten

1921 Thurston Ave.

Racine, WI 53403

v.

Case Number:

17-C-0167

(Full name of defendant(s))

Planet Home Lending LLC

321 Research Pkwy, Ste 303

Meriden CT 06450

(to be supplied by Clerk of Court)

A. PARTIES

1. Plaintiff is a citizen of Wisconsin and resides at
(State)

1921 Thurston Ave, Racine, WI 53403
(Address)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant Planet Home Lending, LLC

is (if a person or private corporation) a citizen of Offices in TX, CT (Name)

(State, if known)

and (if a person) resides at _____

(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for _____
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

Basically I am asking the Judge to preside/oversee my civil administrative process For my qualified request for "proof of Debt," My home loan was originally made with Flagstar Bank thru Bank of Wisconsin, Kenosha (defunct) and recently acquired by Planet Home Lending LLC, who informed me on the phone that they bought my obligation of debt, or that Flagstar Bank sold the loan to them. My administrative process is to determine & prove that they are a bonafide creditor according to terms of

Federal rules, UCC, USC, etc. I was notified last year by Planet Home Lending LLC that I should direct monthly payments to them which I've done and am in good-standing. However-I've only recently become aware of certain terms of contract law along with certain routine violations by lenders. My mortgage is a HUD loan and has Foreclosure escalation clause for Failure to make payments, so I don't want the judge to think that my timely payments are tacit acquiescence or admission that a debt is owed.

Recent information reveals to me the process by which loans occur that violate federal rules & contract law

1.) Banks are lending their credit, not their own money. The dollars are raised against the borrower's signature & promissory note, which has EQUAL VALUE TO THE LOAN

Banks are NOT ALLOWED TO LEND CREDIT, ONLY MONEY, and their trading the note generally pays off the loan in as short as 3 years (lack of full disclosure)

(over)

Therefore, the bank used the borrower's endorsement, signature & credit to obtain & extend the loan, acting only as a pass-through agency, with no "skin-in-the-game."

Trading the promissory note/obligation soon redeems the full value, when banks often sell the obligations for additional profit. These loans are often insured against default (mine is) but in event of foreclosure the banks collect on BOTH the default insurance AND foreclose on the property too! And all based upon the borrower's good credit, NOT the bank's! *

I have reason to believe that the defendant cannot prove themselves to be a bonafide creditor. I never signed any note of obligation or entered into any contract (knowingly, with full disclosure) with them. I am requesting them to prove their position & status as a creditor by law, and to whom a debt to them, I ostensibly do owe.

* I might add that Bank of WI (Kenosha) closed only weeks after making my loan, which may have been paid off under terms of the Bail-out

C. JURISDICTION

☒ I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

☐ I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$ _____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

Assuming the Defendant is unable to prove via requested documents that they are a qualified creditor to whom my home loan is owed, I would ask the Judge to grant me decree that they cease & desist all collection activity immediately, including any/all threat of foreclosure, any further sale of said ostensible "obligation" and grant me full deed & title of ownerships, duly filed with my County recorder's office, said release.

E. JURY DEMAND

I want a jury to hear my case.

☐ - YES

☒ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 3rd day of February 2017.

Respectfully Submitted,

Devin Germet

Signature of Plaintiff

1-262-633-5404

Plaintiff's Telephone Number

germeten@mail.com

Plaintiff's Email Address

1921 Thurston Ave.

Racine, WI 53403

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE

☒ I **DO** request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Filing Fee form and have attached it to the complaint.

☐ I **DO NOT** request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.